

# Indiana House of Representatives

## News and Information

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### **CHANGES FROM OXLEY, HOUSE DEMOCRATS BRING PUBLIC ACCOUNTABILITY TO INSPECTOR GENERAL**

INDIANAPOLIS – Thanks to the efforts of Indiana House Democrats like State Rep. Dennie Oxley (D-English), representatives have passed legislation that will allow the state to have an Inspector General to ferret out corruption in government and make sure that the post is accountable to the people of Indiana.

After accepting a series of amendments originally championed by House Democrats, Oxley said House members passed Senate Bill 18, which formally creates the post of Inspector General. The measure now returns to the Indiana Senate for concurrence with changes made in the House.

"Thanks to the willingness on both sides of the aisle in the House to work toward a compromise, we are advancing a bill that will help strengthen public trust in government, and help to protect the concept of open government," said Oxley, who played a key negotiating role in helping Democrats, Gov. Mitch Daniels and House Republican leaders find a common ground on issues that separated representatives.

"If this bill becomes law, the Inspector General will be able to do the job that all of us agree needs to be done: respond to public concerns that state officials are abusing the public's trust or engaging in illegal activities," Oxley added. "Once the Inspector General completes an investigation of a complaint, and determines that a crime may have been committed, we will have a clearly defined picture of who can handle that prosecution."

Local county prosecutors will be given the Inspector General's materials on a complaint, then determine whether to proceed with charges.

"In earlier versions of this bill, the matter of prosecution was left solely in the hands of the Inspector General, which meant the fate of a potential criminal case would be decided by an appointed official, rather than an elected county prosecutor," Oxley said. "That idea would have given the executive branch control over the judicial branch, which is a clear violation of the separation of powers in the Indiana Constitution. It also provided no accountability to the general public, since an appointed official would have the sole authority to proceed with cases.

"The amendments proposed by House Democrats will allow local prosecutors who must be accountable to the voters to handle these cases at all steps in the process," he noted. "Our elected prosecutors will be doing the job they were elected to perform, and the checks and balances that are so crucial to our form of government will be preserved."

House Democrats also succeeded in getting Senate Bill 18 changed to include a proposal from Oxley that ensures the Inspector General's records are open to public inspection and that the office is subject to the state's Open Door Law.

"I am pleased that the governor and the House Republican leadership recognized that there were serious constitutional and accountability concerns about the Inspector General position as originally proposed," Oxley said. "Many of the fears that people had that this post would be used to extract partisan political revenge have been set aside. All lawmakers want to see clean, open, honest government. The Inspector General will help achieve that goal."

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